

REMARKS

In the Office Action mailed on January 11, 2007, Applicant has been required, in accordance with 37 C.F.R. § 1.499, to elect one of the following groups of claims:

Group I: claims 13-22 and 25, drawn to devices for adjusting a pressurized water reactor; and

Group II: claims 23 and 24, drawn to a process for protection.

Applicant elects, with traverse, claims 13-22 and 25 (*i.e.*, Group I) for further prosecution on the merits. However, it is respectfully submitted that the Restriction Requirement should be withdrawn for at least the following reasons.

In support of the Restriction Requirement, the Office Action alleges that the inventions of Groups I and II do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, they allegedly lack the same or corresponding special technical features. Specifically, the Office Action alleges that Group I includes independent claims 13, 20, 21 and 25 which recite only features of neutron absorbing rods and associated structures, while Group II recites steps for oxidizing rods of undisclosed character or constitution.

In the present amendment, claim 23 has been amended to be dependent upon claim 20, such that the process for protecting of claims 23 and 24 now includes the features of the absorber rod of independent claim 20. Therefore, Applicant respectfully submits that the unity of invention requirement has been met by the currently pending claims in amended form, and that the Restriction Requirement covering claims 13-25 should be withdrawn.

In the present amendment, claims 13, 14, 16, 21, 23 and 25 have also been amended to better clarify the scope of the present invention. No new matter has been added by the current amendment, as support thereof may be found in the present specification at, *inter alia*, page 7, lines 7-9 (in reference to the substitute specification); and originally filed claim 4.

The Commissioner is hereby authorized to charge any necessary fees or credit any overpayments under 37 C.F.R. §§ 1.16 and 1.17 to Deposit Account No. 11-0600. If for any reason the Examiner believes that prosecution of this application would be advanced by contact with the Applicant's attorney, the Examiner is invited to contact the undersigned at the telephone number given below.

Respectfully submitted,
KENYON & KENYON LLP

Dated: February 12, 2007

By: 
Kevin T. Godlewski
Reg. No. 47,598

KENYON & KENYON LLP
One Broadway
New York, NY 10004

Direct Dial: 212-908-6203
Fax: 212-425-5288
General Tel: 212-425-7200